

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JEANNIE CARTER,

Plaintiff,

vs.

CITY OF OLYMPIA

Defendant.

CAUSE NO.

COMPLAINT

And Jury Demand

COMES NOW the Plaintiff, Jeannie Carter, by and through her attorney of record, Richard Wooster of the law firm of Kram & Wooster, P.S., for cause of action against the Defendants complain and allege as follows:

I. JURISDICTION AND VENUE.

1.1 Plaintiff is a female resident of Pierce County, Washington.

1.2 Defendant, City of Olympia ("hereinafter "City," "Olympia," or "Defendant" is a Washington municipal corporation located in Thurston County, Washington.

1.3 All the acts complained herein took place within the jurisdiction of the above-named Federal District Court.

1.4 Plaintiff has asserted claims for employment discrimination and wrongful termination under both State and Federal law. This court has jurisdiction pursuant to 28 U.S.C. §1391 (Venue), 28 U.S.C. §1331 (Federal Question); 28 U.S.C. § 1343(a)(4) (Civil Rights); and 28 U.S.C. §1967 (Supplemental Jurisdiction)

II. FACTUAL BACKGROUND.

2.1 Plaintiff is female.

2.2 Plaintiff has filed a Tort Claim with the City of Olympia as provide for in RCW 4.96.02. More than sixty days have passed since that tort claim was presented to the City of Olympia.

2.3 Plaintiff filed a charge of gender discrimination and retaliation with the Equal Employment Opportunity Commission. Plaintiff was issued a Notice of Right to Sue and less than 90 days have passed since that Notice of Right to Sue was issued.

2.4 Plaintiff was hired by the City of Olympia as a Building Inspector II,

2.5 Plaintiff was the only female working as a Building Inspector for the City of Olympia.

2.6 Plaintiff was the only female ever employed by the City of Olympia as a building inspector.

2.7 Plaintiff was terminated from her position as a Building Inspector II on or about June 25, 2020.

2.8 The alleged reason for her termination was she had "not met performance expectations during [her] probationary review period."

2.9 Plaintiff asserts that the reason is a pretext and asserts that she was terminated because of her gender and/or because she had raised concerns that she was being treated in a discriminatory fashion in her work place.

1 2.10 Plaintiff raised concerns of discrimination and believes that her termination was
2 substantially motivated in part because of her opposition to discriminatory
3 treatment.

4 2.11 Plaintiff was subjected to different treatment and working conditions by the City
5 that were not as favorable as her male counterparts and Plaintiff asserts that such
6 difference in treatment and working conditions were because of her gender. She
7 further asserts that the differences in treatment and working conditions were
8 intended to deprive her of information necessary to excel in her job.

9 2.12 That all the conduct complained of by Plaintiff for her State and Federal law
10 claims arose out of a common nucleus of operative facts.

11 2.13 Following her termination, Plaintiff diligently sought to mitigate her damages.
12 While she has effectively mitigated her wage loss following her termination, she has
13 not been able to mitigate the lost career path arising from her wrongful termination
14 from the City of Olympia.

15 2.14 That because of the conduct complained of by Plaintiff, including her wrongful
16 termination from employment, Plaintiff suffered both economic and non-economic
17 damages in amounts to be proven at the time of trial. Such damages include but are
18 not limited to lost wages in back pay, front pay, and lost benefits, including
19 retirement benefits. Plaintiff suffered non-economic damages including emotional
20 distress, humiliation, loss of professional standing, impairment of career
21 advancement and injury to self-esteem.

22 2.15 Defendant's discriminatory conduct asserted herein was willful, deliberate and
23 with reckless disregard for Plaintiff's State and Federal Rights.

24 **III. CAUSES OF ACTION AND PRAYER FOR RELIEF.**

1 3.1 Defendant's conduct violated the Washington Law Against Discrimination, RCW
2 49.60, et. seq. ("WLAD").

3 3.2 Defendant's conduct violated the provisions of 42 U.S.C § 2000e ("Title VII")
4 and the WLAD by discriminating against the Plaintiff based on her gender.

5 3.3 Defendant violated the provision of the WLAD and Title VII be retaliating against
6 Plaintiff for raising concerns about what she legitimately believed to be conduct
7 in violation of those statutes by agents of the City of Olympia.
8

9 WHEREFORE, Plaintiff prays for judgment as follows:

10 1. For economic damages suffered as the result of Plaintiff's wrongful termination in
11 amount to be proved at the time of trial, including back pay, front pay, loss of benefits, expenses
12 associated with mitigation of damages.

13 2. For an award of non-economic damages in an amount to be proved at the time of
14 trial.

15 3. For punitive damages as allowed by Title VII should punitive damages be allowed
16 against a governmental defendant by change in statute, case authority or clear
17 interpretation of Constitution.

18 4. That the Plaintiff be granted leave to amend this complaint to assert such other
19 claims as may be established through discovery, including but not limited to
20 claims under the Employee Retirement Income Security Act.

21 5. For such other and further relief in favor of Plaintiff as the court deems just and
22 equitable.
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24 6. For costs and attorneys' fees, including expert witness fees and tax offsets as may
25 be allowed by law.

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3 DATED this 20 day of May 2022.

4 **KRAM & WOOSTER, P.S.**

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6 Richard H. Wooster WSBA #13752
7 Attorneys for Plaintiff
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9 **JURY DEMAND**
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11 COMES NOW the Plaintiff, and pursuant to Rule 38 of the Federal Rules of Civil
12 Procedure, hereby requests a six-person jury in the above referenced matter.

13 DATED this 20 day of May 2022.

14 **KRAM & WOOSTER, P.S.**

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16 Richard H. Wooster WSBA #13752
17 Attorneys for Plaintiff
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